

MINUTES OF THE 215th MEETING OF THE
WATER MANAGEMENT BOARD
LEGISLATIVE RESEARCH COUNCIL ROOM 414
IN THE STATE CAPITOL
500 EAST CAPITOL AVENUE
PIERRE, SOUTH DAKOTA
JULY 17, 2019

CALL TO ORDER: Chairman Hutmacher called the meeting to order at 11:05 a.m. Central time.

Julie Smith conducted a roll call of members present. A quorum was present.

Chairman Hutmacher welcomed Legislative Oversight Committee Member, Representative Mary Duvall.

Chairman Hutmacher announced that the meeting was streaming live on SD.net, a service of South Dakota Public Broadcasting.

The following were in attendance at the meeting:

BOARD MEMBERS: Peggy Dixon, Jim Hutmacher, Everett Hoyt, Tim Bjork, and Rodney Freeman. Chad Comes and Leo Holzbauer were not at the meeting.

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR): Jeanne Goodman, Eric Gronlund, Karen Schlaak, Vickie Maberry, Genny McMath with the Water Rights Program; Julie Smith with the Drinking Water Program; Jesse Wilkens with the Watershed Protection Program.

ATTORNEY GENERAL'S OFFICE: Ann Mines Bailey, Water Rights Program Counsel and David McVey, Board Counsel

LEGISLATIVE OVERSIGHT COMMITTEE: Representative Mary Duvall

OTHERS:

Jeff DeVries, in the matter of Water Right Nos. 2547-3, 2548-3, 3085-3, 6381-3 and 6440-3

In the matter of the TransCanada, Wink Cattle Company and Tom & Lori Wilson applications (spelling of names is a best effort from interpreting the sign-in sheet)

Elizabeth Lone Eagle, petitioner

Zora Lone Eagle, petitioner

Tatanka Lone Eagle, petitioner

Thomasina Real Bird, counsel for Yankton Sioux Tribe

Cindy Myers, petitioner

Mahmud Fitol, petitioner

Jason Shald, petitioner

Tracey Zephier, Attorney General, Cheyenne River Sioux Tribe

Bruce Ellison - Counsel for Dakota Rural Action

Water Management Board
July 17, 2019 Meeting Minutes

John Taylor - Counsel for TransCanada Keystone Pipeline
James Moore - Counsel for TransCanada Keystone Pipeline
William Taylor – Counsel for TransCanada Keystone Pipeline
Matt Naasz - Counsel for Tom & Lori Wilson and Wink Cattle Company
Bob Mercer, reporter
Chuck Banner
Julie Santella, petitioner
Tonia Stands, petitioner
Sarah Mearhoff, reporter
Peter Capossela, counsel for Great Plains Tribal Water Alliance
Amara Rowley
Bevon Rowley
Dawn Bissonetl
Thomas Brings
Rebecca Terk
Jim Aamot
Teryl Cruse
Joyce Brown
John Schmidt
Paul Seamans, petitioner
John E Geri Clifford
John Willis
Mitchell Close
Matt Mauer
John Haroldson
Lloyd Guy
Joseph White Eyes
Daniel Grassrope
Arianne Traversier
Laney Eagle Shield
John Harter
Jaseu Codie
Tasina Sapawin
Kinyanhuta
John Buffalo
Topa Asompi
Tate Bald Eagle
Careena Bowker
Tracy Finsh
Bee Morth
Trisha Morgan
Almen Bring
Jesse McRae
Kiyuku
Sharina
James Binder
Dolores Moreno

Water Management Board
July 17, 2019 Meeting Minutes

Nicole Ducheneaux, Counsel for Cheyenne Sioux Tribe
Faith Spotted Eagle
Kory Bierle
Kip Spotted Eagle
Charlene Lund
Representative Herman Otten

ANNUAL ELECTION OF OFFICERS

Mr. Freeman recommended retaining the same officers with Jim Hutmacher, Chairman, Tim Bjork, Vice Chairman and Leo Holzbauer as Secretary.

Motion by Mr. Freeman, second by Mr. Bjork, to nominate Jim Hutmacher, Chairman, Tim Bjork, Vice Chairman and Leo Holzbauer as Secretary for the upcoming year. Motion carried unanimously by roll call vote.

Motion by Mr. Hoyt, second by Mr. Bjork, to have Mr. Freeman be appointed prehearing officer for prehearing matters such as motions. Motion carried unanimously by roll call vote.

ADOPT FINAL AGENDA:

Motion by Mr. Bjork, second by Ms. Dixon, to adopt the final agenda. Motion carried unanimously by roll call vote.

CONFLICTS DISCLOSURES AND REQUEST FOR STATE BOARD WAIVERS: None

APPROVAL OF BOARD MINUTES FOR MAY 8, 2019:

Mr. Freeman proposes to amend the paragraph on page 17 of the minutes regarding Chairman Hutmacher's reasoning for not allowing participation by conference call as follows:

Chairman Hutmacher indicated parties will need to be present and participation by conference call will not be allowed at future meetings involving the TransCanada, Wink Cattle Company and Tom and Lori Wilson water permit applications. This is due to the fact it is very difficult for the court reporter to identify witnesses and accurately transcribe the testimony. Technical issues with phone connections make it almost impossible for the court reporter and Board members to understand the testimony presented.

Motion by Mr. Freeman, second by Mr. Bjork, to amend the May 8, 2019, minutes. Motion carried unanimously by roll call vote.

Motion by Mr. Bjork, second by Ms. Dixon, to approve the minutes as amended. Motion carried unanimously by roll call vote.

STATUS AND REVIEW OF WATER RIGHTS LITIGATION:

Ms. Mines Bailey stated the Board conducted a contested case hearing in 2013 regarding establishing the Lake Thompson outlet elevation. Due to high water levels causing flooding this year, DENR has received inquiries regarding the outlet elevation. The Board retained jurisdiction regarding the outlet elevation to address any changes to the outlet elevation, if requested. It is possible that the Board may receive such a request including that a special meeting be scheduled to consider the matter.

ADMINISTER OATH TO DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES STAFF: Carla Bachand, court reporter, administered the oath to the DENR employees who intended to testify.

DENR WATER QUALITY MONITORING ACCESS PORTAL DEMONSTRATION:

Jesse Wilkens from the Watershed Protection program demonstrated the use and function of the Water Quality Monitoring Access Portal.

The online map shares water quality data from DENR's internal database and fish flesh contaminant data from DENR's fish flesh database. It also provides information from the South Dakota Integrated Report for Surface Water Quality Assessment and links to water quality documents such as TMDLs and other water quality related documents.

The various functions of the web application were demonstrated, and an explanation of how water quality advocacy groups are using the map to share their water quality data was provided.

Chairman Hutmacher asked Mr. Wilkens if the water samples were all taken at the surface or below the surface at some depth. Mr. Wilkens stated when looking at lakes, it is based on how clear the water is. The sampler first measure how clear the water is and then collects water to two times that depth.

Chairman Hutmacher asked Mr. Wilkens if he has involvement with the Zebra Mussel infestation that is coming. Mr. Wilkens stated that does not fall under DENR's jurisdiction. However, the Watershed Protection Program does keep an eye out for invasive species when in the field. When sampling, staff may go to five lakes in a day. DENR follows strict protocol regarding cleaning the boat and equipment each time they move to another lake.

Chairman Hutmacher asked Mr. Wilkens if DENR tracks how many hits they have from the public looking at the website. Mr. Wilkens stated they do not but would like to see that number. Water quality organizations, watershed improvement projects, and related businesses are starting to use the website. Friends of the Big Sioux River have also been using the web site, collecting and looking at the data.

CANCELLATION CONSIDERATION: A table listing the water rights/permits proposed for cancellation, the notices of cancellation, and the chief engineer's recommendations were included in the packet the board members received prior to the meeting.

Mr. Gronlund stated eight water permist/rights are scheduled for cancellation.

Water Management Board
July 17, 2019 Meeting Minutes

Mr. Gronlund explained that there is one water right in division 1, two in division 2, and the remaining five are in division 3. In the column of the table entitled reason, the NC stands for Non-Construction. As the Board is aware when someone gets a new water right they have five years to complete construction. Administrative rule states if not constructed, the permit becomes invalid and therefore subject to cancellation.

Six of the water permits on the list are due to non-construction. The basis for cancellation of the other two is abandonment and/or forfeiture.

In the case of Water Right No. 4102-3, Mark and Sheila Muellenberg, that water right has not been used since the 1990's. The Water Rights Program contacted and informed them that the water right permit is subject to cancellation since they have not irrigated.

Mr. Gronlund stated Water Right No. 4973-3 is subject to cancellation for abandonment because the owners indicated they sold the equipment and do not intend to irrigate again.

Water Rights Program did not receive any letters in response to the notice of cancellations. The recommendation is for the Board to proceed with cancellation.

Number	Original Owner	Present Owner(s) & Other Persons Notified	Reason
DIVISION I WATER PERMIT			
PE 1941-1	McGuigan Inc.	McGuigan Inc. % Michael McGuigan	Non-construction
DIVISION II WATER PERMITS			
PE 2559A-2	John Markus	Same	Non-construction
PE 2722-2	James G Farley	Same	Non-construction
DIVISION III WATER PERMITS AND RIGHTS			
RT 4102-3	Orville Levtzow	Mark & Sheila Muellenberg	Abandonment or Forfeiture
RT 4973-3	Margaret A Tofte	Barbara Brands, Donna Hildebrant, Gary Tofte, Keith Tofte, Julie Brown	Abandonment
PE 6545-3	Broom Tree Retreat & Conference Center	Same (% Kris Sees)	Non-construction
PE 7413-3	Roger Volzke	Same	Non-construction
PE 7671-3	Jason Miller	Same	Non-construction

Motion by Mr. Freeman, second by Mr. Bjork, to Cancel the Division 1, 2 and 3 water rights/permits as listed on the table for the reason set forth. Motion carried unanimously by roll call vote.

FUTURE USE PERMITS SEVEN YEAR REVIEW:

Mr. Gronlund explained that future use permits are subject to a seven year review by the Water Management Board to determine if there remains a reasonable need for the future use permit.

Mr. Gronlund explained that the board packet included a table of unopposed water permits issued based on the Chief Engineer's recommendation. At the bottom of that table is a separate table showing the future use permits subject to review today. There are six future use permits scheduled for their seven year review today as set forth in the table. For each future use permit, the packet has a the letter received from the future use permit holder requesting to retain the permit, Chief Engineer's recommendation, and affidavits of publication.

At the time of mailing the Water Rights Program had not received two affidavits. One was for TM Rural Water from the Miner County Pioneer and the other was from the Huron Plainsman in the matter of the City of De Smet's future use permit. Since the Board packet was mailed, those affidavits have been received and are on file.

Mr. Gronlund stated in response to the public notice, no petitions to intervene were received by the date listed which was July 5. The Water Rights Program did receive an email yesterday that included four letters in support of the city of DeSmet's future use permit remaining in effect. Those letters are part of the file and considered late filde petitions.

The recommendation of the Water Rights Program is for the future use permits to remain in effect as set forth in the table that is included in the board packet. Future Use Permit No. 1407-2 held by the city of Custer reserves 434 acre feet from Precambrian Rock; Nos. 135-3 and 5003-3 held by the city of Pierre which combined reserves 3,374 acre feet from the Missouri: Pierre aquifer; No. 524-3 for city of DeSmet reserves 625 acre feet from the Vermillion East Fork Aquifer; No. 558A-3 held by the city of Castlewood reserving 123 acre feet from the Big Sioux Aquifer; and No. 5358-3 held by TM Rural Water System reserving 530 acre feet from the Upper Vermillion Missouri Aquifer.

Motion by Mr. Freeman, second by Ms. Dixon, for the future use permits as set forth in the table remain in effect as per the recommendations of the Chief Engineer. Motion carried unanimously by roll call vote.

CONSIDER DELETION OF QUALIFICATION TO PERMIT NO. 1358B-3, WIPF ACRES:

Mr. Gronlund stated that the Board Packet included a notice scheduling today's hearing and letters from Gary Wipf, with Wipf Acres LLC, and Lenny Peterson requesting deletion of qualification No. 5 on Water Permit No. 1358B-3.

Water Permit No. 1358B-3 issued in February 2019, allowed the transfer of the well, diversion rate authority and irrigated acres authorized by Water Right No. 1358-3 to a new location. The permit authorized the transfer of 1.78 cfs and 135 acres from the SW ¼ Section 17-T115N-R61W to the NE ¼ Section 12-T115N-R62W.

Water Permit No. 1358B-3 when approved included qualification No. 5 that required plugging of the original well in the SW ¼ Section 17-T115N-R61W. Since the time No. 1358B-3 was

approved, Wipf Acres sold the land in the SW ¼ Section 17-T115N-R61W to Lenny Peterson. Mr. Peterson wants to keep the well for livestock watering. The Water Rights Program recommends deletion of qualification No. 5 regarding the plugging requirement. Mr. Gronlund stated that if the board deletes qualification No. 5, the Water Rights Program will reissue the water permit without qualification No. 5.

Mr. Freeman stated he is recusing himself from this matter since he represents one of the parties in other pending matters.

Mr. Hoyt asked Mr. Gronlund if a permit is necessary for Mr. Peterson's use for livestock water. Mr. Gronlund indicated that watering of free range livestock is a domestic use that does not require a water permit. Mr. Hoyt asked how the volume taken from the well will be measured. Mr. Gronlund said generally water diverted from a source for livestock watering is not a significant amount and is not required to be measured.

Ms. Dixon asks how DENR prevents abuse of the use of water. Mr. Gronlund stated the foundation statutes in codified law chapter 46-1 does not allow for the waste or unreasonable use of water. If the pumping of water resulted in a waste of water that is something the Water Rights can regulate. Mr. Gronlund stated for Water Rights to investigate whether a waste of water is taking place would likely be complaint driven.

Motion by Mr. Bjork, second by Ms. Dixon, to delete the qualification No. 5 on Water Permit No.1358B-3 as recommended by DENR. Motion carried unanimously by roll call vote.

CONSIDER RESCISSION OF SUSPENSION FOR FAILURE TO REPORT 2018
IRRIGATION QUESTIONNAIRE:

Water Right Nos. 2547-3, 2548-3 and 3085-3 – Gene De Vries Inc.
Water Right Nos. 6381-3 and 6440-3 – De Vries Inc.

Mr. Gronlund stated that the Board packet included the report prepared by Genny McMath with the past reporting history and a letter from Jeff De Vries regarding why the irrigation questionnaires were not timely filed. The irrigation questionnaires for these five water rights were filed July 8, 2019.

Mr. Gronlund stated that the five water rights, combined, appropriate a total 8.58 cfs which is about 3,850 gallons per minute. The irrigation systems are located southeast of Huron.

Mr. Gronlund stated these five water rights were suspended by the Board at the March meeting for failure to submit the 2018 irrigation questionnaires. The suspension took effect 30 days after the water right holder was provided notice of the Board's action. Mr. De Vries' letter explained that his father had health issues that resulted in the mail getting.

Mr. De Vries was administered the oath by the court reporter. Mr. De Vries stated his dad had health issues in October. While his dad was doctoring the mail had gotten rerouted. Mr. De Vries said that the first permit was obtained in 1976, and this is the first time they had ever missed. Mr. De Vries requested the board to reconsider suspension of their water rights.

Motion by Mr. Hoyt, second by Mr. Bjork, that the Board rescind the suspension for failure to report on the 2018 irrigation questionnaires for Water Right Nos. 2547-3, 2548-3 and 3085-3, 6381-3, 6440-3 based on the explanation provided by Mr. De Vries. Motion carried unanimously by roll call vote.

UNOPPOSED NEW WATER PERMITS ISSUED BY THE CHIEF ENGINEER WITHOUT A HEARING BEFORE THE BOARD:

Prior to the meeting the board received a copy of the table listing the unopposed new water permits issued by the chief engineer (see attachment at the end of the minutes).

IN THE MATTER OF WATER PERMIT APPLICATION NOS. 1986-1, 2792-2 AND 2793-2, TRANSCANADA KEYSTONE PIPELINE LP; WATER PERMIT APPLICATION NO. 1963A-1, TOM & LORI WILSON; AND WATER PERMIT APPLICATION NO. 1975A-1, WINK CATTLE COMPANY:

Consider Approval of Orders Issued by Prehearing Chairman

David McVey stated the motions that Prehearing Officer Rodney Freeman has considered and issued orders for denial as follows:

TransCanada motion to dismiss intervenors
Elizabeth Lone Eagle motions to disqualify DENR reports and recommendations and for immediate denial of applications
TransCanada motion to dismiss petition of the Great Plains Tribal Water Alliance
TransCanada motion to preclude consideration of implied water rights
TransCanada motion to preclude evidence about the merits of the Keystone pipeline
TransCanada motion to preclude consideration of tribal land issues and treaty rights
Tom and Lori Wilson motion to dismiss petition in intervention
Tom and Lori Wilson motion to preclude consideration of implied water rights
Tom and Lori Wilson motion in limine to preclude evidence regarding the merits of the Keystone pipeline
Wink Cattle Company motion to dismiss petitions in intervention
Wink Cattle Company motion to preclude consideration of implied water rights
Wink Cattle Company motion in limine to preclude evidence regarding the merits of the Keystone pipeline
Wink Cattle Company motion to allow Dean Wink to testify out of order as moot
Yankton Sioux Tribe's motion for an environmental impact statement in the matter of TransCanada applications
Yankton Sioux Tribe's motion for an environmental impact statement in the matter of Tom and Lori Wilson application
Yankton Sioux Tribe's motion for an environmental impact statement in the matter of Wink Cattle Company application

Motion by Mr. Hoyt, second by Mr. Bjork to approve and adopt orders issued by the Prehearing Officer as stated by the board counsel. Motion carried unanimously by roll call vote.

Chairman Hutmacher indicated his intent is to conduct the hearings by initially holding two days of hearings, then take a break, followed by an additional three days for hearings. It is his intent to have the evidentiary hearing completed in October so that findings can be considered at the December meeting and the matter completed prior to the holiday season.

Chairman Hutmacher initially chose the date of Friday, August 16th as the deadline for intervenors and parties to disclose names and contact information for witnesses and the date parties and intervenors must provide a list of all exhibits.

Mr. Bruce Ellison on behalf of Dakota Rural Action indicated he may need more time to get answers to their interrogatories compelled. Those answers may effect who is called as a witness or the exhibits intended for the hearing. Mr. Ellison wants an additional month for discovery.

After discussion among parties, Chairman Hutmacher stated disclosure of names and contact information for witnesses and the date for providing a list of all exhibits will be Friday, August 30, 2019.

Ann Mines Bailey asked Chairman Hutmacher if he intended just a list of exhibits to be provided or actually exchange of exhibits. Chairman Hutmacher stated that would be the date for both the list of exhibits and exchange of exhibits among parties.

Ms. Mines Bailey stated the administrative record is commonly admitted as an exhibit into the record. The administrative record for the three TransCanada applications, Tom and Lori Wilson application and Wink Cattle Company's application are quite large. The Water Rights Program is trying to put everything up online so all the parties can access the record. The record will be available to all parties here in Pierre if they want to come in and physically go through the documents. Ms. Mines Bailey requested that the administrative record be excluded from needing to be provided to parties.

Chairman Hutmacher asked Mr. Ellison if he has an objection to the administrative record being excluded from needing to be exchanged with parties. Mr. Ellison stated no objection as long as the administrative record will be available at the time of hearing.

Chairman Hutmacher granted exclusion of the administrative record needing to be exchanged among parties.

After considerable discussion among parties, Chairman Hutmacher set the hearing dates for consideration of the three TransCanada applications, Tom and Lori Wilson application and Wink Cattle Company application for October 3-4, 2019, and October 29-31, 2019.

Mr. Hutmacher asked David McVey to explain how the Board should expect to proceed.

David McVey explained under Codified Law 46-2A-9 the four factors that need to be met in order to issue a permit. The first two criteria is whether there is a reasonable probability that unappropriated water is available and if the proposed use can be developed without unlawful impairment of existing rights. Testimony for the applications regarding these criteria will need

to specific to each individual application. The third and fourth criteria are public interest and beneficial use. The testimony regarding public interest and beneficial use may be more unified testimony. Mr. McVey did indicate the Wink Cattle Company and Tom and Lori Wilson applications are amendments to existing permits which to an extent limits the review.

Mr. McVey stated that prior to the hearing a scheduling order will be issued on how the hearing will proceed.

Chairman Hutmacher stated the Board will send parties a directive schedule order on how the hearing will be conducted in advance of the meeting. If motions or other things are filed, they will go before the Prehearing Officer who will rule on them in a timely manner.

Bill Taylor stated after October 31, 2019, there will be Findings and Facts, Conclusions of Law and a Final Decision drafted for consideration and adoption by the Board. It would be their intent to bring those findings to the Board for adoption in time for the December meeting. The Board may have to shorten up the time lines for objections to the proposed findings and/or submission of alternative findings.

Ann Mines Bailey indicated the rule states proposal for findings shall be mailed not less than 20 days before the next regularly scheduled Board meeting.

Bruce Ellison questioned should a party need to seek an argument prior to the evidentiary hearing whether it is proper procedure to bring the matter before the prehearing officer? Chairman Hutmacher indicated that is correct.

Peter Capossela stated he would like time in between the filing of expert reports and the deadlines for submission of exhibits in the event that there is written information submitted that warrants an additional exhibit in response to an expert report. For instance, TransCanada has indicated that they have an expert that runs a computer model for the yield from watersheds.

Chairman Hutmacher stated a party can file an extension for submittal of exhibits with the prehearing officer.

Chairman Hutmacher stated that participation by intervenors will not be allowed by telephone conference call. This is due to difficulties for the Board to hear what is being said, and the court reporter is unable to understand and transcribe an accurate record of testimony.

PUBLIC COMMENT PERIOD IN ACCORDANCE WITH SDCL 1-25-1 -- COMMENTERS DURING PUBLIC COMMENT PERIOD. ALL COMMENTS WERE IN REGARDS TO THE TRANSCANADA KEYSTONE PIPELINE.

Public Commenters:

Zora Lone Eagle, Howes SD
Tatanka Lone Eagle, Howes SD
DoLores Moreno, Arcadia FL
John Harter, Winner SD
Lloyd Guy, Rosebud SD

Water Management Board
July 17, 2019 Meeting Minutes

John Schmidt, Woonsocket SD
Kip Spotted Eagle, Wagner SD
Faith Spotted Eagle, Lake Andes SD
Joye Braun, Eagle Butte SD
Mahmud Fitol, Omaha NE
John Willis, Dummerston VT
Julie Santella, Rapid City SD
Cindy Myers, Stuart NE
Jim Aamot, Brookings SD
Teryl Cruse, Pierre SD
Haron Boyce, Maryland
Geraldine Clifford, St Francis SD
Stands, unknown first name, no address listed
Jesse McRae, Indiana
Tasina Sapa Win, RidgeView SD
John Buffalo, Eagle Butte SD
James Binder, Colorado Springs CO
Topa Asompi, Eagle Butte SD
Cameron, unknown last name, no address listed

Motion by Mr. Bjork, second by Mr. Freeman that the meeting be adjourned. Motion carried unanimously by roll call vote.

Chairman Hutmacher declared the meeting adjourned at approximately 2:45 PM.

A Court reporter was present and a transcript of the hearings may be obtained by contacting Carla Bachand, PO Box 903, Pierre, SD 57501, and (605) 224-7611.

Approved the 3 day of October, 2019



Water Management Board


Witness

WATER MANAGEMENT BOARD MEETING

July 17 & 18, 2019

Qualifications:
wi - well interference

No.	Name	Address	County	Amount	Use	Source	Qualifications
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Unopposed New Water Permit & Vested Right Applications Issued Based on the Chief Engineer Recommendations

1988-1	Western Construction Inc	Rapid City	BT	2.67 cfs	industrial	Belle Fourche River	lf, 4 special
1989-1	Luff Exploration Company	Denver CO	HR	0.10 cfs	industrial	1 well-Inyan Kara Aquifer	wi, 2 special
1990-1	Gilded Mt Homeowners Assn.	Spearfish	LA	0.033 cfs	shd	1 well-Quaternary Alluvium	wi, 2 special
2692A-2	Steve Elshere Land Co	Milesville	HK	7.78 cfs	552 acres	Straighthead Creek	lf, iq, 1 special
2797-2	West River/Lyman Jones RWS	Murdo	PE	1.0 cfs	rws	1 well-Inyan Kara Aquifer	wi, wcr, 2 special
2798-2	Town of Belvidere	Belvidere	JA	240 AF	recreational, fwp, municipal	runoff and Brave Bull Creek	validation with 1-1-1930 priority date
2799-2	Daniel G Warren	Hermosa	PE	0.56 cfs	40 acres	1 well-Inyan Kara Aquifer	wi, wcr, iq, 1 special
8394-3	Craig Vanderlei	Springfield	BH	no add'l	34 acres	1 well-Choteau:West Aquifer	wi, iq
8395-3	Full Circle Dairy LLC	Hurley	TU	0.67 cfs	commercial	2 wells-Upper Vermillion Missouri:West Aquifer	wi, wcr, 4 special
8396-3	Hoffman Farms	Bowdle	ED	1.78 cfs	140 acres	2 wells-Bowdle:Edmunds	wi, wcr, iq
8397-3	Hoffman Farms	Bowdle	WL	1.78 cfs	140 acres	1 well-Bowdle:Edmunds	wi, wcr, iq
8398-3	Hoffman Farms	Bowdle	WL	1.78 cfs	120 acres	1 well-Bowdle:Edmunds	wi, wcr, iq, 1 special

Future Use Reviews

No.	Name	Address	County	Amount Remaining in Reserve	Use	Source	Qualifications
1407-2	City of Custer	Custer	CU	434 AF	municipal	Precambrian Aquifer	none
135-3 & 5003-3	City of Pierre	Pierre	HU	3,374 AF	municipal	Missouri: Pierre Aquifer	none

524-3	City of DeSmet	DeSmet	KG	625 AF	municipal	Vermillion:East Fork Aquifer	none
558A-3	City of Castlewood	Castlewood	HM	123 AF	municipal	Big Sioux Aquifer	none
5358-3	TM Rural Water District	Parker	TU, MC & HT	530 AF	rws	Upper Vermillion Missouri Aquifer	none

ATTENDANCE SHEET
WATER MANAGEMENT BOARD

Date July 17, 2019

<u>NAME (PLEASE PRINT)</u>	<u>MAILING ADDRESS</u>	<u>CITY, STATE & ZIP</u>	<u>ITEM OF INTEREST</u>
Amara Rowley			Key stone XL
Bevon Rowley			Key stone XL
Danny Bissontte	Bx 1621 Pine Ridge	SD 57776	Key stone XL
Thomas Brings	Bx 1723 Pine Ridge, SD	57776	Key stone XL
Bob Mercer	-	Pierre SD	Key stone XL
Bryne Eflin	PO Box 25002	Rapid City SD 57709	KXL
Rebecca Turk	PO Box 549	Brookings SD 57006	KXL
Jim Amot	1508 Sioux Trail	Brookings, SD 57006	KXL
Teryl Cruse	PO Box 214	Pierre, SD	KXL
Matt Naasz	506 6th St	Rapid City, SD	Wink/Wilson
Joye Braun	PO Box 484 Eagle Butte SD		KXL
John Schmidt	P.O. Box 395 Woonsocket SD	Woonsocket SD 57385	KXL
Cindy Myers	PO Box 104	Stuart, NE 68780	KXL
Paul Seannans	27893 294th Street	Deer SD 57531	KXL
John E. Henrich	PO Box 57 Waverly SD	St. Francis SD.	KXL

ATTENDANCE SHEET
WATER MANAGEMENT BOARD

Date July 17, 2019

<u>NAME (PLEASE PRINT)</u>	<u>MAILING ADDRESS</u>	<u>CITY, STATE & ZIP</u>	<u>ITEM OF INTEREST</u>
<u>John Willis</u>	<u>411 Brown's Way</u>	<u>Dummerston VT</u>	<u>Water Permits</u>
<u>Mitchell Close (LRC)</u>	<u>500 E Capitol Ave</u>	<u>Pierre, SD 57501</u>	<u>Water Permits</u>
<u>James Moore</u>	<u>P.O. Box 5027</u>	<u>Sioux Falls 57117</u>	<u>"</u>
<u>Matt Maher</u>	<u>700 Louisiana St., Suite 700 Houston TX</u>	<u>Houston, TX 77002</u>	<u>"</u>
<u>Mary Duvall</u>	<u>Box 453</u>	<u>Pierre</u>	<u>Legis Oversight</u>
<u>John Taylor</u>	<u>4820 E 57th St</u>		<u>Keystone</u>
<u>William Taylor</u>	<u>Sioux Falls SD 57108</u>		<u>Keystone</u>
<u>John Haraldson</u>	<u>"</u>		<u>"</u>
<u>Jeff DeUnies</u>	<u>40545 213th St.</u>	<u>Cavour SD 57324</u>	<u>water permits</u>
<u>Lloyd Guy</u>	<u>P.O. Box 500</u>	<u>Rosebud SD 57570</u>	<u>water permits</u>
<u>Peter Capossela</u>	<u>PO Box 10643 Eugene, OR 97440</u>		<u>Keystone XL</u>
<u>Joseph Whitely</u>	<u>P.O. Box 584</u>	<u>Engle Bte SD</u>	<u>Keystone XL</u>
<u>Daniel Grassop</u>			<u>Keystone XL</u>
<u>Arianna Traversie</u>			<u>Keystone XL</u>
<u>Laney EggeShield</u>			<u>Keystone XL</u>

ATTENDANCE SHEET
WATER MANAGEMENT BOARD
Date July 17, 2019

<u>NAME (PLEASE PRINT)</u>	<u>MAILING ADDRESS</u>	<u>CITY, STATE & ZIP</u>	<u>ITEM OF INTEREST</u>
John Harter	28125, 307th Ave	Winnier SD	
Jasper Coodie	P.O Box 985 Wagner SD	Wagner S.D	
Tasina Sapa Win	Po Box 280, <u>Ridgview</u>	SD	
Kinyan Kuta	11	11	
John A Buffalo	N/A	Eagle Butte, SD	
Tope Asumpi	N/A	Eagle Butte, SD	
Tate Bald Eagle	N/A	Eagle butte, SD	
Carerra Bowker	N/A	Eagle Butte, SD	
Tray Finch	N/A	Green Grass, SD	
Bee Martin	NA	greengrass	
Trisha Morgan	NA		
Allen Bing	N/A		
Jesse McKue	N/A		
Kiyaker. ^{Carapex} Opi	NA	WICSD	
Sharing	NA	Green Grass, SD	
Jane Binder	NA	Cele Springs Cole	

ATTENDANCE SHEET
WATER MANAGEMENT BOARD
Date July 17, 2019

<u>NAME (PLEASE PRINT)</u>	<u>MAILING ADDRESS</u>	<u>CITY, STATE & ZIP</u>	<u>ITEM OF INTEREST</u>
Julie Santella Toma Stands	422 Columbus St Apt. 1 ~	Rapid City, SD 57701 ~	KXL Water Permit
Dolores Moreno (G.B.)	107 W. Oak St. Arcadia FL 34266	ARCADIA, FL.	KXL WATER PROTECTOR
MAHMUD FITIL	4949 S 30th St	Omaha, NE	NKXL Water Protector
Jasen Shald	13906 Poppleton Cir.	Omaha, NE	Water
Nicole Ducheneaux	1404 Ft. Crook Rd.	Bellevue NE	KXL
Tracey Zephier	P.O. Box 590, Eagle Butte, SD 57625	→	KXL Hearing
Thomarina Real Bird	1900 Plaza Dr. Louisville	Louisville CO 80027	KXL Wm Brgs.
Keith Spotted Eagle	Bx 667 Lake Andes SD	→ 57356	KXL
Kory M. Bering	25151 Copal Rd	Midland SD 57552	KXL
Kip Spotted Eagle	800 S main Waynes SD		KXL
Sarah Meenhoff		Pierre, SD	
Charlene Lund	416 S. Pioneer Pierre SD 57501	Pierre SD	KXL
Elizabeth Lone Eagle	P.O. Box 160 Howes	SD 57748	KXL
Mniwakan Nakicijipi (Zora & Tatanka Lone Eagle)	" "	" "	"

Date _____

Date _____

Dist 6.

Rep. Herman Ortner

P.O. Box 325

Teq, 57.5706x

ITEM OF
INTEREST[illegible]